

1
2 UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

3 -----X
4 Estate of VALERIE YOUNG, by VIOLA YOUNG,
5 as Administratrix of the Estate of
Valerie Young, and in her personal
6 capacity, SIDNEY YOUNG, and LORETTA
YOUNG LEE,

Plaintiffs,

7 vs.

Index No.:
07CV6241

8 STATE OF NEW YORK OFFICE OF MENTAL
9 RETARDATION AND DEVELOPMENTAL
DISABILITIES, PETER USCHAKOW,
10 personally and in his official
capacity, JAN WILLIAMSON, personally
11 and in her official capacity, SURESH
12 ARYA, personally and in his official
capacity, KATHLEEN FERDINAND,
13 personally and in her official
capacity, GLORIA HAYES, personally and
14 in her official capacity, DR. MILOS,
personally and in his official capacity,

Defendants.

15 -----X

16 April 10, 2008
17 10:09 a.m.

18 Examination before trial of JAN
19 WILLIAMSON, held at the offices of The
20 Catafago Law Firm, P.C., 350 Fifth
21 Avenue, New York, New York, pursuant to
22 Notice, before Wendy D. Boskind, a
23 Registered Professional Reporter and
24 Notary Public of the State of New York.
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A P P E A R A N C E S:

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ALSO PRESENT:

PATRICIA PAWLOWSKI, ESQ.

Counsel's Office

Office of Mental Retardation

and Developmental Disabilities

1 Williamson

2 committee.

3 Q. And what is that, the
4 forensics advisory committee?

5 A. We have a number of
6 individuals who are remanded to our
7 facilities through the court system, most
8 of them 730.40's or 730.50's.

9 Q. Involuntary --

10 A. Correct. So my
11 responsibility would be to ensure that
12 orders of retention were renewed in a
13 timely fashion, that we were in
14 compliance with everything the courts
15 wanted, all that goes along with that
16 status.

17 Q. And what is the risk
18 management committee?

19 A. Those individuals who are
20 either 730.50 or 40, or present with
21 high-risk behaviors. Before we will
22 endorse their ability to go out into the
23 community, on trips or home visits, we do
24 prepare a very extensive plan of
25 protective oversight which gets reviewed

1 Williamson
2 by the risk management committee, and I
3 am the chairperson of that committee.

4 Q. Was that done, to your
5 knowledge, for Valerie Young?

6 A. No.

7 Q. And she wasn't involved in
8 any aspect of your work in the forensics
9 advisory committee, either.

10 A. No.

11 Q. Is that correct?

12 A. Yes.

13 Q. And what is the special
14 incident committee?

15 A. There are categories of
16 incidents within OMRDD. Two of them are
17 what's called "reportable" and "serious
18 reportable" incidents, which get
19 thoroughly investigated. After the
20 investigation, the special incident
21 review committee will review them, its
22 content, findings, and its
23 recommendations, and we determine whether
24 or not we concur with the findings and
25 recommendations or if we feel that

1 Williamson

2 Q. And was there any indication
3 that she appeared heavily sedated? That
4 you saw.

5 A. Not that I recall.

6 Q. Did you personally observe
7 her in a wheelchair ever?

8 A. I had seen her being
9 transported in a wheelchair, yes.

10 Q. What about sitting in a
11 wheelchair and not being transported?

12 A. No, I don't remember.

13 Q. Was it your understanding,
14 based on your discussion with treatment
15 team leader Kathy Ferdinand, that the
16 wheelchair was to be used only for
17 transportation purposes?

18 A. Our discussion was she needed
19 it for transport for her safety.
20 That -- yeah, I mean, it was for that
21 purpose.

22 Q. Did anyone ever tell you that
23 the wheelchair would be used for shower
24 purposes --

25 A. No.

1 Williamson
2 involved in the treatment of Valerie?

3 A. It's possible he was the
4 psychiatrist at the time --

5 Q. Yes.

6 A. -- but not her primary care
7 physician.

8 Q. Right, but the others were
9 not.

10 A. And Dr. Capati may have seen
11 her, if she was taking seizure
12 medication.

13 Q. Were you ever advised, as
14 acting national deputy director of
15 operations, as to the medications that
16 were prescribed to Valerie?

17 A. No.

18 (Deposition Exhibit
19 Plaintiffs' Williamson 2, policy on
20 reporting deaths that was in effect
21 at the time of Valerie's death,
22 Bates stamped D 1562 and 1563,
23 marked for identification, as of
24 this date.)

25 Q. Let me show you what's been

1 Williamson
2 marked as Williamson Exhibit 2, Bates
3 stamped D 1562 and 1563. And I'm going
4 to ask you to review this document, and
5 tell me if you know what it is.

6 A. (Pause.)
7 Yes, I am familiar with this.

8 Q. What is it?

9 A. It's the policy on reporting
10 deaths.

11 Q. This was in effect at the
12 time of Valerie's death?

13 A. Correct.

14 (Pause in proceedings.)

15 Q. I just want to go back for a
16 second to Exhibit 10, Williamson Exhibit
17 10.

18 Take a look at the second
19 page, CQC 31. And in this mortality
20 review report, it says, and I quote --

21 MR. VELEZ: The third page;
22 right?

23 MR. CATAFAGO: Yes, it's the
24 third page, CQC 31.

25 Q. -- "It was discussed that